

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 4, 6, 7 and 18 are presently active in this application. Claims 4, 6, 7 and 18 are amended by the present amendment. Claims 1-3 and 8-17 were previously withdrawn from consideration and Claim 5 was previously canceled.

Amendments to the claims find support in the specification as originally filed at least at page 43, line 23, to page 48, line 27, and in particular at page 44, lines 19-23 and lines 25-27. Thus, no new matter is added.

In the outstanding Office Action, Claims 4, 6, 7 and 18 were rejected under 35 U.S.C. § 112, first paragraph; and Claims 4, 6, 7 and 18 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,335,985 to Sambonsugi et al. (herein "Sambonsugi").

In response to the rejections of Claims 4, 6, 7 and 18 under 35 U.S.C. § 112, first paragraph, Claims 4, 6, 7 and 18 are amended to clarify the claimed subject matter, consistent with the specification as originally filed at page 43, line 23, to page 48, line 27. Accordingly, no new matter has been added, and Applicants respectfully request those rejections be withdrawn.

In addition, Applicants respectfully traverse the rejection of Claims 4, 6, 7 and 18 under 35 U.S.C. § 102(e) as anticipated by Sambonsugi.

Amended Claim 4 is directed to an object extraction method including, *inter alia*, preparing a plurality of candidate regions of shape data on a frame, and setting, as a provisional region of the object of the frame, one of the candidate regions which exhibits a largest difference among a plurality of differences to generate initial shape data representing the provisional region, where the plurality of differences are acquired by obtaining a difference between each candidate region of the candidate regions and the background.

In a non-limiting example, Applicants' Figure 11 shows an example of preparing candidate regions of shape data (i.e., shapes 1 to 10), and a difference between each candidate region and the background region is acquired.<sup>1</sup> In other words, a provisional region of the to-be-extracted object is selected from a plurality of prepared candidate shapes. More specifically, the claimed invention does not determine the pixel values of the shape for each pixel but determines them for the entire frame. Thus, the claimed approach advantageously obtains initial shape data automatically so that an object can be more easily extracted.

Applicants respectfully submit that Sambonsugi does not teach or suggest a method that includes setting one candidate region as a provisional region that exhibits a largest difference from the background. Sambonsugi describes an object extraction apparatus wherein a subtracter 276 obtains a difference value between pixels of a texture picture and background picture which are located at the same position within frames.<sup>2</sup> A shape picture is generated by regarding each pixel larger than a threshold value predetermined by the absolute value of the difference value as a pixel belonging to an object, to which a pixel value of "255" is assigned.<sup>3</sup> Other pixels are regarded as pixels belonging to the background and are each assigned a pixel value of "0."<sup>4</sup> In other words, Sambonsugi determines the pixel values of the shape picture for each pixel. Accordingly, Applicants respectfully submit that Sambonsugi does not teach or suggest an object extraction method that includes setting "one of the candidate regions which exhibits a largest difference among a plurality of differences acquired by obtaining a difference between each candidate region of the candidate regions and the background to generate initial shape data representing the provisional region," as recited in amended Claim 4.

---

<sup>1</sup> Specification at page 44, lines 19-23.

<sup>2</sup> Sambonsugi at Figure 27 and column 43, lines 10-13.

<sup>3</sup> Sambonsugi at column 43, lines 16-19.

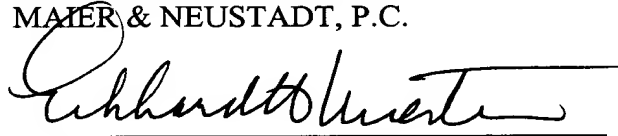
<sup>4</sup> Sambonsugi at column 43, lines 19-21.

Accordingly, Applicants respectfully submit that independent Claim 4 and claims depending therefrom are allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

EHK:ZSS:dnf  
I:\ATTY\ZS\19's\198803us\198803 AMEND 052405.DOC